

Application Serial No.: 10/758,722

RESTRICTION PRESENTED

The claims have been restricted into the following groups of inventions:

<u>Groups</u>	<u>Claims</u>	<u>Subject Matter</u>
I	1-15, 17	A DNA construct comprising at least one therapeutic gene under the control of the WAP or MMTV regulatory sequences, a recombinant viral or plasmid vector as said DNA construct, a recombinant retroviral particle produced by culturing a packaging cell line harbouring a retroviral vector construct, a human cell containing said retroviral provirus, and a cell line containing a construct for the treatment of diseases or disorders of human mammary cells.
II	16	A packaging cell line harbouring a retroviral vector construct according to claim 6 and one or more construct coding for the protein required for the genome of said retroviral vector to be packaged.
III	18, 19 and 40	Encapsulated cells comprising a core containing cells and a porous capsule wall, and a method for treatment of human mammary carcinoma comprising implanting said encapsulated cells into a human.
IV	20 and 21	A DNA construct according to claim 1 or the recombinant viral particle according to claim 12 for the preparation of medicament for the treatment of disorders or diseases of human mammary cells.
V	23, 24, 37 and 38	A pharmaceutical composition comprising the DNA construct according to claim 1 or the recombinant retroviral particle according to claim 12, and a method for the treatment of human mammary carcinoma by using said DNA construct or said recombinant retroviral particle.

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VI	22	The use of cells according to claim 15 for the preparation of a medicament for the treatment of disorders or diseases of human mammary cells.
VII	25, 39	A pharmaceutical composition comprising the cells according to claim 15, and a method for the treatment of human mammary carcinoma by using said cells.
VIII	26-36	The use of the WAP or MMTV regulatory sequences for the expression of linked therapeutic genes in human mammary cells.

#### APPLICANTS' ELECTION

In a response filed May 10, 2006, Applicants elected the invention of Group I, claims 1-15 and 17, drawn to a DNA construct comprising at least one therapeutic gene under the control of the WAP or MMTV regulatory sequences, a recombinant viral or plasmid vector as said DNA construct, a recombinant retroviral particle produced by culturing a packaging cell line harbouring a retroviral vector construct, a human cell containing said retroviral provirus, and a cell line containing a construct for the treatment of diseases or disorders of human mammary cells, for prosecution at this time.

Applicants also elect the WAP regulatory sequence for prosecution at this time.

#### REMARKS

Claims 1-40 are now pending in the subject U.S. patent application. Claims 1-40 as filed have been subjected to a Restriction/Election Requirement.